

Congress of the United States

Washington, DC 20510

September 21, 2015

The Honorable Daniel Ashe
Director – U.S. Fish and Wildlife Service
U.S. Department of the Interior
1849 C Street NW, Room 3359
Washington, DC 20240

Dear Director Ashe:

As you know, polar bears are iconic animals of the utmost importance for many Alaskans, and ensuring healthy populations is critical to the food and cultural security of Alaska. For thousands of years, Alaska Native subsistence hunters have taken polar bears sustainably for food and for clothing. Today, the life of the indigenous people of northern Alaska still depend on the sustainable subsistence harvest of polar bears and it is our duty to protect this traditional way of life.

Any federal action that might limit the availability of polar bears for subsistence use will undermine the nutritional and cultural well-being of our northern communities. Further, limiting this important harvest will restrict the ability of those communities to adapt to shifting food supplies as the effects of unpredictable weather patterns continue to be felt at a high degree across Alaska and the Arctic. It is imperative that all such federal decisions be well-grounded in peer-reviewed science and local observation, and that they be made with the full knowledge and participation of local residents. With regard to federal decisions affecting subsistence uses of Chukchi Sea polar bears, the use of this science is the clear intent of Congress, expressed in Title V of the Marine Mammal Protection Act.

The decision to list polar bears as threatened under the Endangered Species Act was heavily influenced by the widely-held belief that retreating sea ice would inevitably lead to a population decline. However, as data has been collected, this assumption is being questioned, most notably with the Chukchi Sea polar bears. Despite sea ice retreat in the Chukchi Sea, recent research indicates that polar bears living there display good body condition and are producing healthy numbers of offspring. Observations from hunters also provide further evidence that Chukchi Sea polar bears are healthy and abundant.

For the reasons above, we are extremely troubled that the FWS is planning to implement a quota on the subsistence harvest of polar bears from the Alaska-Chukotka (i.e., Chukchi Sea) population, as of January 1, 2016. Furthermore, we are concerned to learn that the FWS proposes to enforce this quota through the implementation of criminal sanctions and reliance on federal enforcement officers. We understand that the level of this proposed quota was established in 2010, on the basis of data that FWS scientists, themselves, declared to be speculative and unreliable. Subsequently published reliable data, does not support limitations on the current levels of subsistence harvest.

We support federal expenditures for the gathering of further reliable data on population size and health, as well as analysis of population trends. It is our view that this research and analysis are significant priorities for informing decisions about whether subsistence harvest quotas might be appropriate in the future. However, unless reliable, peer reviewed research and analysis are produced demonstrating the need for subsistence harvest limits, we oppose any expenditure of federal funds to establish or enforce such limits.

With regards to polar bear populations, we also support federal-state-local co-management of subsistence species, through civil measures, as part of an integrated approach to information gathering, education, and adaptive management. We were pleased by language in the Joint Statement of the United States to the 2014 meeting of the Bilateral Commission on Chukchi Sea Polar Bears. In particular, in the event future research and local observation support the implementation of harvest limits, we were pleased to see that the FWS and the Alaska Nanuq Commission had agreed that any enforcement actions would be undertaken "through a cooperative agreement establishing local management authority beginning January 1, 2016, including ANC's intent to undertake civil oversight and enforcement for the long term conservation of the polar bear."

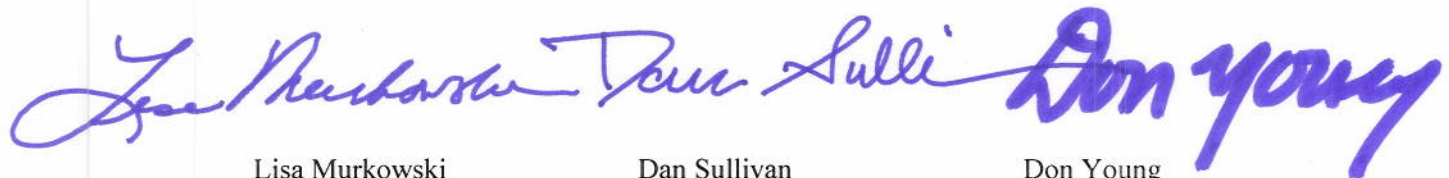
We strongly support the Nanuq Commission's efforts to develop and implement a civil enforcement regime under federal-local co-management, similar to the highly successful management regime in place for bowhead whales. We expect the FWS to fully and reliably fund this effort. We also expect the FWS to fully and reliably support and fulfill the United States' obligation, declared in an international forum, to phase in any enforcement related to Chukchi Sea polar bear subsistence harvests over five years, beginning with the creation and implementation of a cooperative agreement establishing local management authority. We look forward to a report from your office, no later than January 1, 2016, informing us of the creation and implementation of a cooperative agreement between the FWS and the Alaska Nanuq Commission for the civil co-management of Chukchi Sea polar bears, similar to the agreement in place for the federal-local co-management of bowhead whales.

In light of the above, we anticipate that any and all future meetings or consultations by FWS with members of the public, related to management of the Chukchi Sea polar bear subsistence harvest, will occur with full participation of the Alaska Nanuq Commission and other representatives of affected Alaska Native Communities. Finally, it is our understanding that the Executive Director of the Alaska Nanuq Commission has been nominated as one of the two U.S. Commissioners to the Bilateral Commission on Chukchi Sea Polar Bears. We expect that the U.S. Fish and Wildlife Service will fully support this nomination.

Any indication that the expectations expressed in this letter are not being met will prompt a thorough review of the Fish and Wildlife Service's budget and expenditures and may necessitate additional action by our offices.

Thank you for your prompt attention to the items outlined here.

Sincerely,



Lisa Murkowski
United States Senator

Dan Sullivan
United States Senator

Don Young
Congressman for All Alaska